

REQUEST FOR PATENT FEE REFUND

1 Date of Request: 12/12/08

2 Serial/Patent # 09589973

3 Please refund the following fee(s):

4 PAPER
NUMBER

5 DATE
FILED

6 AMOUNT

Filing

\$

Amendment

\$

X Extension of Time

none

08/13/08

\$ 460.00

Notice of Appeal/Appeal

\$

Petition

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Cert of Correction/Terminal Disc.

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Other

\$

7 TOTAL AMOUNT
OF REFUND

\$ 460.00

8 TO BE REFUNDED BY:

10 REASON:

Treasury Check

Overpayment

X

Credit Deposit A/C #:

Duplicate Payment

9

5 0 -- 2 0 0 3

X No Fee Due (Explanation):

Notice was not received at the correspondence address of record, as such the response is considered to have been timely filed.

11 REFUND REQUESTED BY:

TYPED/PRINTED NAME: Paul Shanoski

TITLE: Senior Attorney

SIGNATURE: /Paul Shanoski/

PHONE: 571-272-3225

OFFICE: Office of Petitions

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APPROVED: 

DATE: 12/19/08

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Eric J. Hansen and Jesse J. Williams	
For:	EXTRACTION CLEANING WITH OXIDIZING AGENT	
Serial No.:	09/589,973	Examiner: Necholus Ogden Jr.
Filed:	06/08/00	Group Art Unit: 1751
Atty. Docket:	71189-1300	Confirmation No: 9893

**PETITION TO REISSUE NOTICE OF PANEL DECISION
FROM PRE-APPEAL BRIEF REVIEW AND RESET THE REPLY PERIOD**

U.S. Patent and Trademark Office
ATTN: Director of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a petition under 37 CFR § 1.181 to invoke the supervisory authority of the Director of the U.S. Patent and Trademark Office to Reissue the Notice of Panel Decision from Pre-Appeal Brief Review and Reset the Reply Period. The Commissioner is hereby authorized to charge any required fees to Deposit Account No. 50-2003.

FACTS

On January 8, 2008, a Final Rejection was issued by the Examiner. On April 4, 2008, Applicants timely filed a Notice of Appeal and a Pre-Appeal Brief Review Request. Adjustment date: 12/19/2008 LDIEP1
Brief 142550, Office Action 00000315 502003
01 FC:1252 460.00 CR 09589973

Applicant's Reasons in Support of Request for Pre-Appeal Brief Review of Final Rejection, Applicant's Response to Office Action Mailed January 8, 2008, and Electronic Patent Application Fee Transmittal.

Applicants have received no communications from the U.S. Patent and Trademark Office regarding the Pre-Appeal Brief Request for Review.

Christine M. Judge, an administrative assistant employed by the undersigned counsel of record, accessed the Image File Wrapper for this application through the PAIR system on July 23, 2008. According to the Image File Wrapper, a Notice of Panel Decision from Pre-Appeal Brief Review was mailed on May 13, 2008. The Notice set a one-month deadline for Applicants to submit an appeal brief in accordance with 37 CFR § 41.37. Counsel for Applicants have not received the Notice. *See Attached Declaration of Christine M. Judge.*

Ms. Judge contacted Examiner Necholus Ogden, Jr. via telephone on July 23, 2008. Examiner Ogden return Ms. Judge's phone call on July 24, 2008. Ms. Judge advised that counsel for Applicants had not received the Notice. Mr. Ogden advised Ms. Judge that counsel should file a petition requesting re-issuance of the Notice in order to reset the time period for filing an appeal brief. *See Attached Declaration of Christine M. Judge.*

CONCLUSION

Applicants respectfully re-issuance of the Notice of Panel Decision from Pre-Appeal Brief Review and reset of the Reply Period.

Respectfully submitted,

Eric J. Hansen and Jesse J. Williams

Date: August 4, 2008

By: /John E McGarry/
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